



STATE OF DELAWARE
DEPARTMENT OF AGRICULTURE
DELAWARE HARNESS RACING COMMISSION
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Minutes of the Meeting Held
January 12, 2010

*The Delaware Harness Racing Commission met for a meeting at Dover Downs
Dover, Delaware at 10:15 a.m. on Tuesday, January 12, 2010*

Commission Members Present

Beth Steele, Chairman	George P. Staats, Commissioner
Robert B. Brown, Commissioner	Larry Talley, Commissioner
Patt Wagner, Commissioner	

Others Present

John Hensley, Sr Director-D. Downs	Brian Manges, Chief Investigator
Charles Lockhart, VP of Horse Racing, D. Downs	Scott Egger, Presiding Judge
Glenn Mandalas, Baird Mandalas LLC	Hugh Gallagher, Administrator
Andrew Kerber, Deputy Attorney General	Keith Jackson, Horseman –Trainer
Emily Galloway, DHRC Vet	Karen F. Craft, Harrington Raceway
Annie Renzetti, DHRC Vet	Frances E West, DSOA
Fred Perrotta, UPS	Nancy Rappaport, DLA Piper
Wayne Truitt, Trainer	Mark Davis, DDA
Gil Short, DD	Judy Davis-Wilson, DSBF
Betty Ann Davis, DHRC Personnel	Donna Dowd-Krol, DHRC Personnel

Call to Order/Welcome	<i>Chairman Steele called the public session of the meeting to order at 10:21 a.m. and welcomed those in attendance.</i>
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<p>Approval of Minutes</p>	<p>Commissioner Brown moved to approve the December 1, 2009 DHRC Minutes as written. Commissioner Talley seconded the motion. The motion passed unanimously.</p>
<p>Old Business</p>	<p>UPS - Andrew Kerber introduced Fred Perrotta – Regional Head of Security at UPS and Nancy Rappaport with DLA Piper to the Commission and all in attendance. Andrew Kerber swore Mr. Perrotta in under oath. Questioning began. Mr. Perrotta was asked to confirm that on 12-8-08, 6 packages were delivered to the UPS Harrington Facility addressed to the to go to the lab at the Louisiana State University. Mr. Perrotta confirmed. The packages were scanned in at the UPS Facility at the Customer counter. After that the packages were not located again- speculation is that they never left the facility. Mr. Perrotta claims that between 4-5 thousand packages are processed at the Harrington facility daily. The current UPS efficiency rating is 99.9% delivered without loss or damage. Mr. Perrotta confirmed that after the packages were scanned in on 12-8-08 at UPS, they became the property and responsibility of UPS.</p> <p>Commissioner Talley asked about the complaint made to the Delaware State Police and what the outcome was. Mr. Perrotta said he contacted Troop #3, his phone calls were not returned and he is not privy to the results of their investigation. Commissioner Talley noted that people are entitled to a copy of a report – just need to request it. Commissioner Brown added that this matter was not taken lightly, it has cost the State of Delaware at least 10 thousand dollars. Are you not concerned that you still have those same people working at the UPS location after the packages went missing? Mr. Perrotta replied that he did not know there were packages missing until Bill Haggerty (a current Delaware State Police Officer and licensed owner/trainer with the DHRC) contacted him regarding the missing packages. It seems Mr Haggerty was contacted by a former DHRC Investigator Mr Bob Collison since Mr Haggerty was a former employee of UPS and he knew several employees at UPS that had connections with Horse Racing.</p> <p>Mr Perrotta replied that he did his own investigation – he has no law enforcement rights. Mr Perrotta contacted the Delaware State Police- he provided names of people working that night (total 6) and that had access to the packages – he did not interview the people himself. He also noted under questioning that there are no security or cameras at the Harrington facility and that the facility is available for anyone off the street to walk in and take packages. Also asked if there have been any changes since this incident to the security in and outside of the facility – Mr Perrotta answered, no. Commissioner Talley commented that could not believe that Mr Perrotta did not follow up on this investigation with the State Police to see what happened. Andrew Kerber will contact Contract Services with the State of Delaware and discuss what can be done to change carriers.</p> <p>In conclusion, Mr. Perrotta can offer no reason or explanation on what actually happened to the 6 packages, other than to say that they accepted full responsibility for the packages once they were taken from the DHRC employee and scanned into the UPS system.</p> <p>Mr Perrotta and Nancy Rappaport were released at 10:52 am.</p>

Investigator's Report	None
Public Comment	Next DHRC Meeting will be 2-9-2010 Chairman Steele asked for any Public Comment? None received.
Executive Session	<p>Adjourn to Executive Session at 11:17am</p> <p>Commissioner Talley will get in touch with Mark Csapo and do some investigating on the UPS incident. Commissioner Brown made a motion to approve such an investigation, all were in favor and approved.</p> <p>Personnel issues: Hugh Gallagher mentioned the staff pulling together and a great job effort to cover for Carolyn Poore.</p> <p>Paddock Judge & Identifier – 3 people covering 2 positions, Scott Egger has concerns- Donnie Long could not do the cards the way Scott wanted them done, so they had to go back to doing them the old way. Scott added that they are not always happy with each other. Scott did say that the report that he gets at the end of the night for equipment changes are very helpful – this is a new procedure.</p> <p>Personnel Change: Hugh Gallagher presented to the Commission for approval. Dr Renzetti is to be the permanent outside vet and Dr Galloway is to be the permanent inside vet. They will no longer switch positions. However position hours will have to be worked out so they are even. Having two permanent positions would be better and show more consistency. Any Concerns? No All in favor? all approved unanimously. Hugh Gallagher will speak to Dr Galloway tonight and the new positions will start next week.</p> <p>Hugh Gallagher mentioned calls from the Commissioners and Mr Tackter – horses being left out of the box. There will be no redraw, no changes – all draws were published correctly.</p> <p>DSBF: Judy Davis-Wilson is the Director. Commission needs clarity on DSBF Rules. DSBF is included in DHRC but does not have its own rulebook. Receiving complaints from horseman and one race is in court. If the Commission is responsible for hearing complaints and clean up of messes, then we need to have a rulebook. Complaints were made to Commissioner Staats, Brown and Hugh Gallagher. Chairman Steele asks, if Judy is the Director should she not be making sure the races are run? DSBF Counsel is Tom Ellis.</p> <p>Chairman Steele asks if Commission can request a Rulebook from DSBF. Andrew Kerber will talk to Tom Ellis, the DSBF is a State Agency, therefore it is mandatory they have a rulebook..</p> <p>Hugh Gallagher – Workmans Comp Rule 10.5, words “as per Delaware Law” Andrew Kerber will look into this, does it pertain to family & spouse, are there exemptions for family members?</p>

<p>Public Session</p>	<p>Commissioner Brown reviewed the casino business. Meeting at Legislative Hall today, bill has already been drafted to allow for 2 casinos with or without racing. Recommending 2 venues without racing – this will effect everybody. Report from TMG, need to look at statues, make sure we can control multiple tracks. Dover Downs & Harrington Raceway are meeting with the Governor tomorrow. This should happen within next 2 weeks .</p> <p>2 Final Decisions for Mitchel Skolnick & Johnny Waite were handed down, send copies to Presiding Judge Scott Egger and files to office.</p> <p>Chairman Steele motion to adjourn Executive Session at 12:08pm, Commissioner Staats seconded the motion. All were in favor.</p> <p>Commissioner Staats made a motion to adjourn Public Session at 12:09pm, Commissioner Talley seconded the motion, all were in favor</p> <p>/dk</p>

